MR. SPEAKER :—" The question is—

'That leave be granted for the introduction of the Malabar Agrarian Relations Bill, 1953.' "

11-30 p.m. The motion was put and declared lost. A poll was demanded. and the division bell was rung.

MR. SPEAKER :—" I understand that the Hon. the Chief Minister has no objection to the introduction of the Bill."

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" We have no objection, Sir, to the introduction of the Bill."

MR. SPEAKER :—" The Hon. Chief Minister wants to say something. As a special case, I shall allow him. I hope the House will not mistake it."

* THE HON. SRI C. RAJAGOPALACHARI :—" The Government having introduced a Bill, a Joint Select Committee having been appointed and as the thing is going on and the present Bill is in substance an amendment to that Government Bill, the Government decided to oppose the introduction of the present Bill. But if the hon. Member still desires that it should be introduced, the Government have no objection."

MR. SPEAKER :—" The question is—

'That leave be granted for the introduction of the Malabar Agrarian Relations Bill, 1953'."

The motion was put and carried and leave was granted.

SRI V. R. KRISHNA AYYAR :—" I introduce the Bill."

(3) THE MADRAS AGRICULTURISTS' RELIEF (AMENDMENT) BILL, 1953.

SRI M. NARAYANA KURUP :—" Mr. Speaker, Sir, I beg leave to introduce the Madras Agriculturists' Relief (Amendment) Bill, 1953."

MR. SPEAKER :—" Motion moved—

'That leave be granted for the introduction of the Madras Agriculturists' Relief (Amendment) Bill, 1953.

" I want to know what the Government want to say on this matter."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" In the first instance, I am constrained to oppose the motion, Sir."

MR. SPEAKER :—" I shall allow the hon. Member to make a brief statement and the Hon. Minister to speak afterwards Then, I will put the motion to the vote of the House."

* SRI M. NARAYANA KURUP :—" Sir, I thought at least this was a non-controversial Bill. Seeing what has happened to the previous Bill, I am really surprised to see that the Hon. the

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Revenue Minister should oppose this Bill. It is a simple one-clause Bill. When the present Chief Minister was the Head of the State in 1938, he introduced the first Agriculturists' Relief Act to give protection to agriculturists in a period of depression. But in the working of that Act, it was subsequently found that many of the benefits conferred upon the people by that enactment were taken away by the interpretation put upon some words and phrases by the Courts. In effect, on account of the interpretation put upon the phrase 'rate of interest on debt', possessory mortgages or mortgages with possession were completely excluded from the purview of that Act and the required benefit did not accrue to the agriculturist. Therefore, in 1949 an Amending Bill was brought forward making it applicable to mortgages with possession. Thereby a new section 9-A was incorporated and under that section a new clause was introduced saying that the Act would apply to possessory mortgages and that a mortgagee in possession for a period of thirty years and more was bound to restore the land to the original mortgagor without payment of any mortgage money. In other words, it enacted that the mortgage amount would be deemed to have been discharged if the mortgagee were in possession for thirty years and more. This Act applies to the whole State. But curiously enough, by one sub-section, certain taluks in North Malabar were excluded from the operation of this section and clause. There had been continuous and persistent agitation to remove this anomaly so that the benefit might accrue to all the agriculturists in the State. My Bill seeks to amend only that portion, that is, to delete that sub-clause which excludes certain taluks of North Malabar from the benefits of this section. I believe all the M.L.As. representing the areas affected by this legislation approve of this and have also submitted memoranda to the Government. Therefore, I am only surprised that even at this stage, instead of the Government trying to rectify the original wrong done to these people, oppose this Bill brought forward by a non-official Member. It does not involve any expenses on the exchequer and if the law of Procedure would have permitted, this could have been passed this very day. Therefore, I submit to the Government in all humility that if they feel any doubt, we are only at the stage of introduction of the Bill. The matter may be considered more deeply and if they still feel that public opinion is not in favour of the Amending Bill, they may oppose it. Therefore, I request that the Government may be pleased to withdraw their objection and allow the introduction of this Bill. It is not at all such a complicated Bill as the previous one. I request that the House may be pleased to accord permission to the introduction of my Bill."

* THE HON. SRI M. A. MANICKAVELU NAICKER :— "Sir, I have to explain my position. The Bill brought forward by the hon. Member is to amend the Madras Agriculturists' Relief Act, 1938. The Act was primarily intended for affording relief to the agriculturists and it was subsequently modified by legislations in 1948 and 1950 with regard to usufructuary mortgages. This was effected by section 9-A. Certain areas in the State were sought to be exempted from the operation of this section. For example,

South Kanara district and the taluks of Chirakkal Kottayam, Kurumbranad and Wynaad were excluded from the operation of this section. That was done with a purpose. The tenure there is peculiar. In South Kanara, usufructuary mortgage is called 'Arvar'. In the other taluks also, certain peculiarities are there. If the amendment sought to be made by the Bill of the hon. Member is accepted, the benefit will go to the landlord and not to the tenant, because the money is advanced by the tenant to the landlord. The hon. Member has till now been championing the cause of the ryots and agriculturists. I wonder why he has come forward with this Amending Bill, because it is against the interests of the ryots. That is why I am opposing it. I know the convention that a Bill is not opposed at the stage of introduction. But I want to point out to the hon. Member that he will be benefiting the landlord through his Bill."

11-40 a.m. SRI M. NARAYANA KURUP :—" Sir . . ."

MR. SPEAKER :—" No more discussion on this will be allowed."

THE HON. SRI C. SUBRAMANIAM :—" We are not opposing the introduction of this Bill as such. When the Bill comes up for discussion, we can consider other things."

MR. SPEAKER :—" If the motion is not opposed by the Government, it means that leave is given for the Bill to be introduced. The question is—

'That leave be granted for the introduction of the Madras Agriculturists' Relief (Amendment) Bill, 1953'."

The motion was put and carried.

SRI M. NARAYANA KURUP :—" Sir, I introduce the Bill."

B. Resolutions.

MR. SPEAKER :—" Now let us take up the Non-official Resolution standing in the name of Sri A. Ramachandra Reddiar."

SRI A. RAMACHANDRA REDDIAR :—" Sir, I move the resolution that stands . . ."

SRI S. DEIVASIGAMANY :—" There is another Resolution that stands in the name of hon. Member Sri D. Krishnamurthy Gounder regarding the new scheme of Elementary Education. I request that that resolution may be advanced with the leave of the House. Under Rule 22 (3), I move—

'*That item IV (3) on the Agenda, namely, the New Scheme of Elementary Education may be taken up before item IV (1), viz., Abolition of zonal system*'."